

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

MICHAEL P. GORMAN,)	
)	
Plaintiff,)	
)	
v.)	1:13CV647
)	
CHIEF OF POLICE FOR)	
CITY OF BOONE, NC, et al.,)	
)	
Defendants.)	

ORDER

On September 17, 2013, the United States Magistrate Judge's Memorandum, Order, and Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. (Docs. 5, 6.) Plaintiff subsequently filed a document entitled "Motion to Stop Hate Crime," which the court will treat as an objection to the Recommendation because it discusses the substance of Plaintiff's claims. (Doc. 7.)

The court has appropriately reviewed the portions of the Magistrate Judge's report to which objection was made and has made a de novo determination in accord with the Magistrate Judge's report. The court therefore adopts the Magistrate Judge's Recommendation.

In addition, Plaintiff filed documents entitled "Motion for Calendar Adjustment to Medical Treatments" (Doc. 8) and "Motion

or Damages for Hate Crime" (Doc. 9). These filings appear inconsistent, in that the first indicates Plaintiff's inability to proceed for medical reasons yet the second seeks to move forward with the case and obtain damages. Given that the court will dismiss this action, there exists no deadline to alter and Plaintiff has no entitlement to damages. Thus, the court will deny Plaintiff's instant Motions.

IT IS THEREFORE ORDERED that this action is dismissed pursuant to 28 U.S.C. § 1915(e) (2) (B) (ii). A Judgment dismissing this action will be entered contemporaneously with this Order.

IT IS FURTHER ORDERED that Plaintiff's Motion for Calendar Adjustment to Medical Treatments (Doc. 8) is **DENIED**.

IT IS FURTHER ORDERED that Plaintiff's Motion for Damages for Hate Crime (Doc. 9) is **DENIED**.

This the 25th day of March, 2014.


United States District Judge